IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Mark MEISTER et al.

Serial No. 10/715,408   Group Art Unit: 2153

Confirmation No. 5313

Filed: November 19, 2003   Examiner: Krisna Lim

For: AN EMAIL SYSTEM WITH USER SEND AUTHORIZATION

<u>**SUPPLEMENTAL APPEAL BRIEF**</u>

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

      This is in response to the Notice mailed June 7, 2006 in response to the Appeal Brief filed August 25, 2005. The following supplemental Brief is respectfully resubmitted.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re the Application of:

Mark MEISTER et al.

Serial No. 10/715,408   Group Art Unit: 2153

Confirmation No. 5313

Filed: November 19, 2003   Examiner: Krisna Lim

For: AN EMAIL SYSTEM WITH USER SEND AUTHORIZATION

APPEAL BRIEF

Mail Stop Appeal Brief-Patents
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action in the above-identified application, and pursuant to the Notice of Appeal filed June 27, 2005, Applicants submit this Brief with the fee of $250.00 (small entity) set forth by 1.17(c).

(I)   Real Party In Interest

The real party in interest in this appeal are the appellant inventors.

(II)   Related Appeals and Interferences

The undersigned attorney and the appellant inventors know of no related appeals or interferences which would be directly affected by or directly affect or have a bearing on the Board's decision in this appeal.

(III)   Status of Claims

Claims 1-13 are currently pending, claims 1-13 stand finally rejected and claims 1-13 are appealed.

(IV)   Status of Amendments

No amendments have been filed subsequent to the final rejection. A Response to Final Office Action was filed on May 2, 2005 and an Advisory Action was mailed May 23, 2005.

(V)   Summary of the Claimed Subject Matter

The subject matter of the present invention is designed to tackle a problem associated with unauthorized messages that are sent by an email system that are not created by a user, such as a message may be created by a virus (see pages 1 & 2). The subject matter includes apparatus, method, display and manufacturer (see figures 1, 2 & 4 and pages 3-7). The invention alerts the user to the unauthorized message before it is sent (see figure 4, & pages 2, 5 and 6). The alert includes a display that shows the recipients of the message and that allows the user to modify the message, authorize sending of the message or cancel the sending of the message using graphical user interface buttons (see figure 2 and pages 4 & 5).

(VI)   Grounds Of Rejection To Be Reviewed On Appeal

1.   Whether "not created by a user" added to claims 1, 6, 7, 9, 10 and 11 (and included in new claims 12 and 13) via Amendment filed December 13, 2004 is new matter.

2.   Whether claims 1, 6-11 are anticipated under 35 USC section 102 by US Patent 6,073,113 to Chrabaszcz (hereinafter "Chrabaszcz").

3.   Whether claims 1-11 are unpatentable under 35 U.S.C section 103 over Chrabaszcz in view of the US Patent 6,434,601 to Rollins (hereinafter "Rollins").

(VII)   Argument

The Final Action

The final Action of March 23, 2005 objected to amended claims 1-11 because they were alleged to contain new matter and required cancellation of the alleged new matter.

The final Action maintained and incorporated by reference the prior art rejection of the prior action of August 11, 2004 where claims were rejected as anticipated by Chrabaszcz and where claims 1-11 were rejected as are unpatentable as obvious over Chrabaszcz and Rollins.

New Matter Objection

In the subject application, the Applicant discloses in paragraph 10 of the specification that: "[t]oday computer viruses can compose and send e-mail without a user being aware of the transmission of such unauthorized e-mail." In originally filed claims 2, 3, and 5, the claims recite that an e-mail could be sent by "an unauthorized agent which comprises one of a virus, a trojan horse, and an agent other than an owner of a mail client source of the message (hereinafter for convenience "non-owner")." In the Applicant's response to the Office Action mailed August 11, 2004, the Applicant introduced the following terminology through amendments to claims 1, 6, 7, 9, 10, and 11: "recognizing whether a complete electronic mail [e-mail] message not created by a user" (emphasis added). In the subsequent Final Office Action mailed March 25, 2005, the Examiner objected to and rejected the amended claims under 35 U.S.C. §132(a) for alleged introduction of new matter. The Applicant filed a Response with arguments on May 2, 2005, and an Advisory Action rejecting the Applicant's arguments was mailed May 23, 2005. The Applicant filed a Notice of Appeal on June 27, 2005.

It is submitted that the disclosure of species: unauthorized agent including computer virus, trojan horse, and non-owner, does adequately describe, for purposes of compliance with the written description requirement of 35 U.S.C. §112, paragraph 1, the term (or phrase) "not created by a user" and that such a term is not new matter.

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

35 U.S.C. §112 (2005), paragraph 1 (emphasis added).

The first paragraph of Section 112 sets forth the written description requirement for every patent applicant. Failure to comply with this requirement renders the patent application insufficient, and the deficient application will typically elicit a section 112, paragraph 1 written description rejection or a 35 U.S.C. §132(a) new matter rejection. These rejections most often occur when the applicant introduces new claim language not included in the filed application or when the applicant applies for relation back priority to an earlier application under 35 U.S.C. §120. See Vas-cath v. Mahurkar, 935 F.2d 1555, 1560 (Fed. Cir. 1991).

Although established in patent jurisprudence for over thirty years, see, e.g., In re Smythe, 480 F.2d 1376 (C.C.P.A. 1973). In Vas-cath, the Federal Circuit affirmed the written

description requirement as a separate and unique requirement contained within 35 U.S.C. §112, paragraph 1. See Vas-cath, 935 F.2d at 1555. In overturning a rejection of a new utility application seeking priority to an earlier design application, the Federal Circuit ruled that the specification of an application complied with the written description requirement of 35 U.S.C. §112, paragraph 1 when the "specification clearly convey[s] to those skilled in the art, to who it is addressed, in any way, the information that [applicants] invented that [invention]." Id. at 1561 (quoting In re Ruschig, 379 F.2d. 990 (C.C.P.A. 1967)).

Although most recently addressed in Vas-cath, the standard for judging the written description requirement was first promulgated by the Court of Customs and Patent Appeals in In re Smythe. 935 F.2d at 1555; 480 F.2d at 1376. The In re Smythe invention related to a continuous automatic chemical analysis system. 480 F.2d at 1377. The claims at issue recited "inert fluid" for a claim element whereas the specification recited "air or other gas which is inert to liquids transmitted". Id. at 1378 (emphasis added). The P.T.O. had rejected the claims under Section 112, paragraph 1 for failure to meet the written description requirement arguing the claim language included liquids and gases, which were not both encompassed by the language in the specification. Id. The issue at hand was whether the disclosure of the species inert gases satisfied the written description requirement for the genus of inert fluids.

In reversing the P.T.O. section 112 rejection of the disputed claims, the court held that not every situation where the language in the specification is narrower than the claim language warrants a section 112 rejection. Id. at 1382. The court framed the issue as whether the person of ordinary skill in the art of the invention would naturally think to use an inert fluid when he read the specification language reciting air and gas. Id. at 1383. Citing the predictability and known nature of the recited terms, the court found that the person of ordinary skill in the relevant art would naturally think to use any inert fluid when reading the specification language. Id. Carrying the reasoning further, the court hypothesized that if you disclose using a "ten pound lead weight", then you can claim a "ten pound metal weight". Id. at 1384. Consequently, the court held that a species could sufficiently support, for section 112, first paragraph written description purposes, a claim directed towards a parent genus if said genus would naturally occur to the person of ordinary skill in the relevant art. Id. at 1383.

Subsequent to the Vas-cath and Smythe decisions, 935 F.2d at 1555; 480 F.2d at 1376, the Federal Circuit established two exceptions to the general rule that a disclosed species can support genus claim language. If the specification characterizes the other species of the genus

as inferior and trumpets the disclosure of their particular species as an advancement over the prior art, then the claim language for a broad genus will not be supported. See Tronzo v. Biomet, 156 F.3d 1154, 1159 (Fed. Cir. 1998). Six years later, the Federal Circuit carved another exception out from the general rule when they affirmed the finding of insufficient written description. In re Curtis, 354 F.3d 1347 (Fed. Cir. 2004). The court cited the unpredictability of the genus that the applicant was attempting to claim as the determining factor in finding lack of support In reciting the species in the specification. Id. at 1355. The court held that it was this unpredictability that made the disclosure of a single species insufficient to allow a person of ordinary skill in the relevant art to "'instantly recall' species of the genus of later-claimed [language] already 'stored' in their minds". Id. at 1356 (quoting In re Smythe, 480 F.2d at 1376).

In the subject application, the term virus is a species of the genus terms non user and unauthorized agent, which have varying subject matter coverage. This situation of two genera that possess varying subject matter coverage mirrors the fact pattern of the In re Smythe decision, where air was a species of gas and fluid. 480 F.2d at 1376. Although some species may qualify as a fluid but not a gas, i.e. water at Standard Temperature and Pressure, the court found that the disclosure of just one species that qualifies as both a gas and a fluid sufficiently supported the claim language of fluid and gas. Id. at 1382. Similar to the In re Smythe application, the subject application disclosed a species (virus, trojan horse, and non-owner) of two genera, not a user and unauthorized agent. Although the subject matter coverage of both genera is not perfectly congruent, the use of the term "not created by a user" in the subject invention would naturally occur to a person of ordinary skill in the relevant art reading the description of the use of virus, trojan horse, and non-owner in sending e-mails. Compare In re Smythe, 480 F.2d at 1383. While the term "not created by a user", encompasses species that aren't unauthorized agents, the specification clearly conveys to the person of ordinary skill in the relevant art that in this invention, the characteristics of not a user are important to the e-mail alerting function work. Compare id.

An important point of this invention is to provide an e-mail system that alerts a user of the local system of an e-mail message before it is sent. An important feature of the subject invention is to warn the user of surreptitiously sent e-mail by an unauthorized agent. A person of ordinary skill in the relevant art, upon reading the subject application's specification, will easily recall the species of an unauthorized agent, a virus, a trojan horse, and a non-owner to mean anything capable of generating an e-mail without the consent of the local system user i.e. non-

user or unauthorized agent (i.e., "not created by a user"). Consequently, it is submitted that the Applicant's disclosure of a trojan horse and a virus in the specification of the subject application adequately supports the claim terminology "not created by a user" In regards to the section 112 written description requirement.

For this reason, it is submitted that the new matter objection and requirement for cancellation should be reversed.

The Board is requested to note paragraphs 10 and 11 of the present application mentioned above where it is stated that a virus can compose and send e-mail without a user being aware of the transmission of such unauthorized e-mail.

> A virus is defined as: virus - 4 : a computer program usually hidden within
> another seemingly innocuous program that produces copies of itself and inserts
> them into other programs and that usually performs a malicious action (as
> destroying data)
(see Merriam-Webster Online Dictionary copyright © 2005 by Merriam-Webster,
Incorporated).

A virus is clearly something that is not the user. A message created by a virus is a mail message "not created by a user."

The Board is again requested to note original claims 2, 3 and 5 filed with this application which state that an unauthorized agent can be a virus, a trojan horse and an agent other than an owner of a mail client source of the message. A trojan horse is defined as:

> Trojan horse 2 : a seemingly useful computer program that contains concealed
> instructions which when activated perform an illicit or malicious action (as
> destroying data files); also : the concealed instructions of such a program (see
> Merriam-Webster Online Dictionary copyright © 2005 by Merriam-Webster,
> Incorporated).

A trojan horse is also clearly something that is not the user. A message created by a trojan horse is a mail message "not created by a user."

The Board is also requested to see the parent application 09/337035, which has been incorporated into the present application by reference, particularly at page 3 and claims 6 and 14. The Examiner is also requested to see the parent Patent No. 6,671,718 at col. 1, line 65 thru col. 2, line 3 and issued claims 6 and 13 which note that mail can be sent by a virus and that the mail is sent by an "an unauthorized agent". An unauthorized agent, such as a virus, creates a mail message not created by a user of the mail system user since users are

authorized. It is submitted that the claim limitations added via amendment emphasizing that the user does not create the mail are supported by the specification and the claim limitations are not new matter.

For this additional reason, it is submitted that the new matter objection and requirement for cancellation should be reversed.

By disclosing in a patent application a device that inherently performs a function or has a property, operates according to a theory or has an advantage, a patent application necessarily discloses that function, theory or advantage, even though it says nothing explicit concerning it. The application may later be amended to recite the function, theory or advantage without introducing prohibited new matter. In re Reynolds, 443 F.2d 384, 170 USPQ 94 (CCPA 1971); In re Smythe, 480 F. 2d 1376, 178 USPQ 279 (CCPA 1973). "To establish inherency, the extrinsic evidence 'must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. Inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient.'" In re Robertson, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950-51 (Fed. Cir. 1999).

It is submitted that a disclosure that describes a situation where "[t]oday computer viruses can compose and send e-mail without a user being aware of the transmission of such unauthorized e-mail" and where a message can be sent by an unauthorized agent which comprises one of a virus, a trojan horse, and an agent other than an owner of a mail client source of the message inherently discloses electronic mail message "not created by a user".

For this further reason, it is submitted that the new matter objection and requirement for cancellation should be reversed.

Art Rejection

As noted above, the present invention has as an important feature associated with alerting when a complete electronic mail message not created by a user is a message that is to be sent (see claims 1, 6, 7, 9, 10, 11, 12 and 13).

Chrabaszcz is directed to a system which is designed to determine whether a user intended to send a message that includes an attachment by scanning the message for keywords and to alert the user to the possibility that an attachment was over looked. Figure 3 shows the user creating (302) the message executing (304) a send command and if no key

words are found (306, 308, 310) the process exits 320. This process of figure 3 is discussed as being the attachment verifier 206. The attachment verifier 206, once verification has been accomplished (that is, exit 320 occurs), transfers the message to the server 114 where it is transmitted (see figure 2 and col. 5, lines 23-25). That is, the message is created and sent by the user in Chrabaszcz.

Chrabaszcz teaches and suggests nothing about alerting when a complete electronic mail message not created by a user is a message that is to be sent (see claims 1, 6, 7, 9, 10, 11, 12 and 13).

It is submitted that Chrabaszcz does not anticipate claims 1, 6, 7, 9, 10, 11, 12 and 13 and reversal of the anticipation rejection is requested.

Rollins, like Chrabaszcz, is directed to a system in which a user creates and sends an email message but in this case Rollins tests to validate a recipient (or addressee) e-mail address. Figure 1 shows operation S10 where a "user wants to send an e-mail message". In the process the user types in addressee - S14, the "user enters message subject" - S26 and the "user's message is delivered" - S36 (see also col. 3, line 46-col. 5, line 4).

That is, both Chrabaszcz and Rollins discuss user created messages. There is no teaching or suggestion in Chrabaszcz and Rollins of alerting when a complete electronic mail message not created by a user is a message that is to be sent (see claims 1, 6, 7, 9, 10, 11, 12 and 13). Claims 2-5 from claim 1, directly or indirectly and claim 8 depends from claim 7. Thus, it is submitted that claims 1-13 are not taught or suggested by Chrabaszcz and Rollins alone or in combination and reversal of the obviousness rejection is requested.

Claim 1

As noted above, claim 1 calls for "recognizing whether a complete electronic mail message not created by a user" is a message that "is to be sent" and for the reasons discussed above it is submitted to be patentable.

Claim 1 also calls for alerting a system user about the message to be sent and allowing the user to authorize sending of the message. In contrast, Chrabaszcz notifies the user of missing attachments and Rollins of bad addresses. Neither teach or suggest alerting about a message to be sent or allowing the user to authorize sending of the alerted message.

For these additional reasons it is submitted that claim 1 is not taught or suggested by Chrabaszcz and/or Rollins and reversal of the rejection is requested.

Claim 2

Claim 2 is dependent upon claim 1 and is patentable over the prior art for the reasons discussed above. Claim 2 also calls for the send function to be activated by an unauthorized agent. As discussed above, Chrabaszcz and Rollins disclose sending by users.

For this additional reason it is submitted that claim 2 is not taught or suggested by Chrabaszcz and/or Rollins and reversal of the rejection is requested.

Claim 3

Claim 3 is dependent upon claim 2 and is patentable over the prior art for the reasons discussed above. Claim 3 also calls for the unauthorized agent to comprise one of a virus, a trojan horse and an agent other than an owner of a mail client source. As discussed above, Chrabaszcz and Rollins disclose sending by users not these types of unauthorized agents.

For these additional reasons it is submitted that claim 3 is not taught or suggested by Chrabaszcz and/or Rollins and reversal of the rejection is requested.

Claim 4

Claim 4 is dependent upon claim 1 and is patentable over the prior art for the reasons discussed above. Claim 4 also calls for the system to recognize a send operation initiated by the user. That is, the send operation can be initiated by the user but the message not be created by the user. Chrabaszcz and/or Rollins say nothing about this.

For this additional reason it is submitted that claim 4 is not taught or suggested by Chrabaszcz and/or Rollins and reversal of the rejection is requested.

Claim 5

Claim 5 is dependent upon claim 1 and is patentable over the prior art for the reasons discussed above with respect to claims 2 and 3.

For this further reason it is submitted that claim 5 is not taught or suggested by Chrabaszcz and/or Rollins and reversal of the rejection is requested.

Claim 6

As noted above, claim 6 calls for alerting when "a complete electronic mail message not created by a user" is a message that "is to be sent" and for the reasons discussed above it is submitted to be patentable.

Claim 6 also calls for stopping transmission of the message until authorized by the user. There is no such operation taught or suggested by the prior art. Chrabaszcz notifies the user of missing attachments and Rollins of bad addresses and neither stop message transmission until authorized by the user. As soon as a message is found to have all of it's attachments (Chrabaszcz) or a correct destination address (Rollins) transmission is accomplished. "Stopping transmission" is not taught or suggested. Nor is authorizing transmission after it is stopped ("until authorized") taught or suggested by Chrabaszcz and/or Rollins.

For these additional reasons, it is submitted that claim 6 is not taught or suggested by Chrabaszcz and/or Rollins and reversal of the rejection is requested.

Claim 7

As noted above, claim 7 calls for alerting when "a complete electronic mail message not created by a user" is a message that "is to be sent" and for the reasons discussed above it is submitted to be patentable.

Claim 7 also calls for allowing a user an "opportunity to consider canceling transmission". As noted above, cancellation is not considered in Chrabaszcz and/or Rollins only attachments and destinations are considered.

For this additional reason it is submitted that claim 7 is not taught or suggested by Chrabaszcz and/or Rollins and reversal of the rejection is requested.

Claim 8

Claim 8 is dependent upon claim 7 and is patentable over the prior art for the reasons discussed above. Claim 8 also calls displaying the message that was "not created by the user" after the send has been initiated. No such display is taught by Chrabaszcz and/or Rollins. In addition, while displayed the user can "modify", "cancel transmission of" and "authorize transmission of" the message. No such modification, cancellation or authorization is taught by Chrabaszcz and/or Rollins. They are limited to adding missing attachments or error flagging erroneous addresses.

For these additional reasons it is submitted that claim 8 is not taught or suggested by Chrabaszcz and/or Rollins and reversal of the rejection is requested.

Claim 9

Claim 9 is directed to an apparatus in which an alert occurs for " a complete e-mail message not created by a user" is a message that "is to be sent" and for the reasons discussed above it is submitted to be patentable.

Claim 9 also calls for alerting the user to addressees of this message not created by the user. That is, when a virus creates a message the user can see to whom the message is to be sent. Chrabaszcz and/or Rollins teach or suggest nothing about this.

For this additional reason it is submitted that claim 7 is not taught or suggested by Chrabaszcz and/or Rollins and reversal of the rejection is requested.

Claim 10

Claim 10 in addition to emphasizing the features discussed above with respect to claim 1 and which is submitted to be patentable for the reason discussed above, also calls for an article of manufacture. Chrabaszcz and/or Rollins teach or suggest nothing about this.

For these reasons it is submitted that claim 10 is not taught or suggested by Chrabaszcz and/or Rollins and reversal of the rejection is requested.

Claim 11

Claim 11 calls for an electronic message display that provides "text" that alerts ("alerting") a user about "a complete e-mail message not created by a user" is a message that "is to be sent". No such alerting text is provided, taught or suggested by Chrabaszcz and/or Rollins.

In addition, also claim 11 calls for the display having a list of addressees, which as discussed above with respect to claim 9, is not taught or suggested by Chrabaszcz and/or Rollins.

Further, claim 11 calls for an "interface element" allowing a user to "authorize" message transmission of a message not created by the user. No such interface element is disclosed, taught or suggested by Chrabaszcz and/or Rollins.

For these additional reasons it is submitted that claim 11 is not taught or suggested by Chrabaszcz and/or Rollins and reversal of the rejection is requested.

Claim 12

Claim 12 calls for "determining" that a "valid" email message not created by the user is to be sent and Chrabaszcz and/or Rollins say nothing about making such determinations. Rather invalidly addressed messaged and invalidly created messages (without attachments) are dealt with by Rollins and Chrabaszcz.

Claim 12 also calls for alerting the user about the valid message not created by the user to be sent. Chrabaszcz and/or Rollins also say nothing about this.

For these reasons it is submitted that claim 12 is not taught or suggested by Chrabaszcz and/or Rollins and reversal of the rejection is requested.

Claim 13

Claim 13, like claim 12, calls for "determining" that a "valid" email message not created by the user is to be sent and for alerting the user about the valid message not created by the user to be sent. Chrabaszcz and/or Rollins also say nothing about this as discussed above.

Claim 13 also calls for allowing the user to permit this message to be sent. Nowhere does Chrabaszcz and/or Rollins say anything about permitting such a message to be sent.

For these reasons it is submitted that claim 13 is not taught or suggested by Chrabaszcz and/or Rollins and reversal of the rejection is requested.

(VIII) Conclusion

It is submitted that the amendments to the claims do not add new matter and the prior art does not teach or suggest the claims invention. Reversal of the objection, requirement for cancellation and rejections is respectfully requested.

Respectfully submitted,

STAAS & HALSEY LLP

Date: June 20, 2006   By: /J. Randall Beckers/
                                                J. Randall Beckers
                                                Registration No. 30,358

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501

Claims Appendix

1.   An e-mail method, comprising:

recognizing whether a complete electronic mail message not created by a user and having a valid recipient address is to be sent, after a send function has been initiated, from a sending side to a receiving side;

alerting a system user on the sending side as to the message being sent; and

allowing the user to authorize sending of the message.

2.   A method as recited in claim 1, wherein the send function is activated by an unauthorized agent.

3.   A method as recited in claim 2, wherein the unauthorized agent comprises one of a virus, a trojan horse and an agent other than an owner of a mail client source of the message.

4.   A method as recited in claim 1, wherein said recognizing recognizes a send operation initiated by the user.

5.   A method as recited in claim 1, wherein said recognizing recognizes a send operation initiated by an unauthorized agent comprising one of a virus, a trojan horse and an agent other than an owner of a mail client source of the message.

6.   An e-mail method, comprising:

recognizing whether a complete electronic mail message not created by a user and having a valid recipient address is to be sent, after a send function has been initiated, from a sending side to a receiving side; and

stopping transmission of the message until authorized by the user.

7.   An e-mail method, comprising:

recognizing whether a complete electronic mail message not created by a user and having a valid recipient address is to be sent, after a send function has been initiated, from a sending side to a receiving side; and

providing the user with an opportunity to consider canceling transmission of the

message until authorized by the user.

8.   A method as recited in claim 7, further comprising displaying the compete message to the user after the send function is initiated in an interface allowing the user to modify the message, cancel transmission of the message and authorize transmission of the message.

9.   An apparatus, comprising:

an e-mail transmission system having a sending side and a receiving side; and

an e-mail system recognizing a complete e-mail message not created by a user and having a valid recipient address, is to be sent, after a send function has been initiated, by a user via the transmission system, alerting a user on the sending side as to the addressees of the message and allowing the user to authorize sending of the message.

10.   A computer readable storage medium for controlling a computer including a computer program recognizing whether a complete electronic mail message not created by a user and having a valid recipient address, is to be sent, after a send function has been initiated, alerting a user as to the message being sent and allowing the user to authorize sending of the message.

11.   An electronic message alert display, comprising:

text alerting a user on a sending side as to a complete electronic message not created by a user and having a valid recipient address, about to be sent; after a send function has been initiated,

a list of addressees; and

an interface element allowing the user to authorize transmission of the message.

12.   An e-mail method associated with messages of a user, comprising:

determining whether an electronic mail message having at least a minimum of parts needed to be a valid electronic mail message and not created by the user is to be sent; and

alerting the user as to the message to be sent

13.   An e-mail method associated with messages of a user, comprising:

determining whether an electronic mail message having at least a minimum of parts needed to be a valid electronic mail message and not created by the user is to be sent;

alerting the user as to the message to be sent; and

allowing the user to permit sending of the message to be sent.

IX. EVIDENCE APPENDIX

Not applicable.

X. RELATED PROCEEDINGS APPENDIX

Not applicable.